



U.S. Customs and
Border Protection

June 24, 2021

SENT BY ELECTRONIC MAIL TO: nsus@citizensforethics.org

Jodi Wei
Unit 7636 21 Wellesley College Road
Wellesley, MA 02481

Re: **Final Response for FOIA request CBP-2020-017128**

Dear Jodi Wei:

This is a final response to your December 4, 2019 Freedom of Information Act (FOIA) request addressed to U.S. Customs and Border Protection (CBP) in which you are seeking "The original and resulting communication of the "Justification and Approval (J&A) for Other Than Full and Competition" approved on May 21, 2019, regarding the IDIQ ceiling increase for EAP Consultants, Inc. (now known as Espyr). The request in question was reported in a July 2, 2019 Quartz article. The procurement identifier according to Contract Opportunities (formerly FBO) is HSBP1015D00004 (P00009)."

Information responsive to your request can be found online at <https://beta.sam.gov/opp/361e8f04293ec21a3222afd1fcdc93b5/view?>, last accessed on June 24, 2021. Pursuant to 5 U.S.C. § 552 (a)(1) and (a)(2), CBP need not make available under FOIA records that are publicly available.

This completes the CBP response to your request. You may contact CBP's FOIA Public Liaison, Charlyse Hoskins, by sending an email via your FOIAonline account, mailing a letter to 90 K St, NE MS 1181, Washington DC, 20229 or by calling 202-325-0150. The FOIA Public Liaison is able to assist in advising on the requirements for submitting a request, assist with narrowing the scope of a request, assist in reducing delays by advising the requester on the type of records to request, suggesting agency offices that may have responsive records and receive questions or concerns about the agency's FOIA process. Please notate file number **CBP-2020-01712** on any future correspondence to CBP related to this request.

If you are not satisfied with the response to this request, you have a right to appeal the final disposition. Should you wish to do so, you must file your appeal within 90 days of the date of this letter following the procedures outlined in the DHS regulations at Title 6 C.F.R.

§5.8. Please include as much information as possible to help us understand the grounds for your appeal. You should submit your appeal via FOIAonline by clicking on the "Create Appeal"

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button that appears when you view your initial request. If you do not have computer access, you may send your appeal and a copy of this letter to: FOIA Appeals, Policy and Litigation Branch, U.S. Customs and Border Protection, 90 K Street, NE, 10th Floor, Washington, DC 20229-1177. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at www.dhs.gov/foia. Additional information can be found at the following link <https://www.cbp.gov/document/guidance/exemption-definitions>.

Additionally, you have a right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Please note that contacting the CBP FOIA Public Liaison or OGIS **does not** stop the 90-day appeal clock and **is not** a substitute for filing an administrative appeal.

Sincerely,

FOIA Division
U.S. Customs and Border Protection